

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—  
GENERAL

Case No. 5:23-cv-01960-SSS-SHKx

Date March 4, 2024

Title *Susan Jane v. Alejandro N. Mayorkas et al.*

Present: The Honorable SUNSHINE S. SYKES, UNITED STATES DISTRICT JUDGE

Irene Vazquez  
Deputy Clerk

Not Reported  
Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings: (IN CHAMBERS) ORDER SETTING ORDER TO SHOW  
CAUSE REGARDING IMPROPER SERVICE OF  
SUMMONS AND COMPLAINT.**

The Court is in receipt of Plaintiff's proofs of service of her summons and complaint on Defendant Alejandro N. Mayorkas, an officer of the United States sued here in his official capacity.

Federal Rule of Civil Procedure 4(i) provides that in order to serve a United States officer or employee sued in his official capacity, a party must (1) serve the United States and (2) send a copy of the summons and of the complaint by registered or certified mail to the officer or employee named in the complaint. Fed. R. Civ. P. 4(i)(2).

In order to serve the United States, a party must deliver copies of the summons and complaint by registered or certified mail to both (1) the United States attorney for the district where the action is brought and (2) to the Attorney General of the United States in Washington, D.C. Fed. R. Civ. P. 4(i)(1)].

Here, the proofs of service submitted by Plaintiff indicate that she has properly served the United States Attorney for the Central District of California.

However, Plaintiff has not provided any proof of service of the summons and complaint upon either Defendant Mayorkas himself or upon the Attorney General.<sup>1</sup>

The Court therefore **DIRECTS** Plaintiff to show cause in writing, on or before **Friday, March 22, 2024**, why this action should not be dismissed for failure to properly serve the Defendant. This Order to Show Cause will be discharged if Plaintiff files, before the deadline set forth above, adequate proofs of service as to each unserved Defendant.

The Court reminds Plaintiff that this is the third Order to Show Cause issued in this case due to her failure to effect service of the summons and complaint in the manner required by the federal rules. If Plaintiff fails to provide proof of proper service upon all relevant parties or entities by the date set forth above, her complaint will be dismissed without prejudice and without further warning.

**IT IS SO ORDERED.**

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<sup>1</sup> Attorney General has designated the Assistant Attorney General for Administration, Justice Management Division, to accept service of summonses and complaints for him/her. See 28 C.F.R. § 0.77(j)).